



TOWN OF LOS GATOS
PLANNING COMMISSION MEETING
ACTION MINUTES
TOWN COUNCIL CHAMBERS
110 E. MAIN STREET
WEDNESDAY, MAY 11, 2005 -- 7:00 P.M.

Please refer to compact disk # 05-11-05 to hear the entire proceedings of this meeting.

ROLL CALL:

Present: Phil Micciche, Chair; D. Michael Kane, Thomas O'Donnell, Joanne Talesfore and Morris Trevithick

Absent: Michael Burke, Lee Quintana

Others: Assistant Community Development Director Randy Tsuda, Assistant Planner Rachel Bacola, Town Engineer Kevin Rohani, Associate Civil Engineer Fletcher Parsons and Town Attorney Orry Korb

VERBAL COMMUNICATION

Ray Davis Commented on his letter to the editor in the local newspaper and the decision-making abilities of the DRC and the Town's consulting architect. Also commented on the death of a local high school student and the road conditions on Shannon Road.

APPROVAL OF MINUTES

April 13, 2005 - Motion by Commissioner Talesfore and seconded by Commissioner O'Donnell to approve meeting minutes. Approved 5 - 0 with Commissioners Burke and Quintana excused.

CONSENT CALENDAR

ITEM 1 **1458 Pollard Road**
Conditional Use Permit U-05-014

Requesting approval to modify an approval of a restaurant (Sushi E!) to allow the service of beer and wine with meals on property zoned C-1. APN: 407-33-021
PROPERTY OWNER: Rinconada Hill Investment Co.
APPLICANT: Yoon Nyoun Kim

PUBLIC TESTIMONY - None

MOTION: Motion by Commissioner Kane and seconded by Commissioner Trevithick to recommend approval of Conditional Use Permit U-05-014 and forward to Town Council for final approval.

Motion carried 5 - 0 with Commissioners Burke and Quintana excused.

No appeal rights since final approval is by Town Council.

CONTINUED PUBLIC HEARING

ITEM 2 **15390 Winchester Blvd**
Architecture and Site Application S-05-007

Appeal of the decision of the Development Review Committee approving the demolition and construction of a new single family residence on property zoned RM:5-12. APN 424-29-023.

PROPERTY OWNER/APPLICANT: Don Bersano

APPELLANT: James and Barbara Sanders

(Continued from March 23, 2005)

PUBLIC TESTIMONY by Barbara and James Sanders, Ray Davis and Rodger Griffin.

MOTION: Motion by Commissioner O'Donnell and seconded Commissioner Kane to deny the appeal and uphold the decision of the Development Review Committee for Architecture and Site Application S-05-007. The required finding were made and the application incorporated conditions as noted in Exhibit B of the report dated March 17, 2005.

Motion carried 5 - 0 with Commissioners Burke and Quintana excused.

Appeal rights recited by Mr. Korb.

NEW PUBLIC HEARINGS

ITEM 3 **276 Garden Hill Drive**
Architecture and Site Application S-05-049

Requesting approval to construct a new second story on property zoned R-1:8.
APN 424-24-071

PROPERTY OWNER/APPLICANT: Patricia Kim

PUBLIC TESTIMONY by Craig and Patricia Kim Neimeyer, Steve Nelson, Tejai and Raymond Pinkham, Ray Davis, Dan Hudson and Michael Nevis.

MOTION: Motion by Commissioner Trevithick and seconded by Commissioner Talesfore to approve Architecture and Site Application S-05-049. The required findings were made and the application incorporated conditions as noted in Exhibit B of report dated May 4, 2005.

Motion carried 5 - 0 with Commissioners Burke and Quintana excused.

Appeal rights recited by Mr. Korb.

CONTINUED OTHER BUSINESS - None

NEW OTHER BUSINESS

ITEM 4 **Consider Five-Year Capital Improvements Program for Fiscal Years July 1, 2005 to June 30, 2010**

PUBLIC TESTIMONY by Ray Davis.

MOTION: No motion, consensus (5- 0) of Commission to continue to May 25, 2005 to allow time for review and further discussion.

Sub-Committee Reports

General Plan Committee - Commissioner O'Donnell reported on a) number which constitutes a formula store (7), b) technical demolitions in the hillside, c) minor additions (30 sq ft or less) to hillside homes, d) Commercial Design Guidelines/awning policy.

Report from Director of Community Development - None

Chair Micciche requested for the next Planning Commission agenda that an item be agendized for the election of Vice Chair Burke to become Chair of the Commission for the remainder of the year. This will allow Commissioner Burke the opportunity to Chair the Planning Commission before he moves out of the Town at the end of the year. Commissioner Micciche would become Vice Chair during this time.

ADJOURNMENT

Chair Micciche adjourned the meeting at approximately 8:30 P.M.

TOWN OF LOS GATOS PLANNING COMMISSION
May 11, 2005

Phil Micciche, Chair

APPROVED AS TO FORM AND ATTEST:

Randy Tsuda
Assistant Director of Community
Development

Bud N. Lortz
Director of Community Development